



Jpw/s

**PIPER RUDNICK LLP**  
1200 NINETEENTH STREET, NW  
WASHINGTON, DC 20036-2412  
TELEPHONE: 202-861-3900  
FACSIMILE: 202-223-2085

DOCKET NO.: 5398-027-27 CONT

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 10/697,720  
Applicant(s): Stanley N. COHEN, et al.  
Filing Date: October 29, 2003  
For: MAMMALIAN TUMOR SUSCEPTIBILITY GENES AND THEIR  
USES  
Group Art Unit: 1642  
Examiner: Unassigned

SIR:

Attached hereto for filing are the following papers:

Fee Transmittal  
Request for Extension of Time (4 months)  
Notice to Comply (Return Copy)  
Response to Notice to Comply and Preliminary Amendment  
Statement Under 37 C.F.R. § 1.821-1.825 (1 page, executed)  
Substitute Sequence Listing (paper copy, 9 pages)  
Computer Readable Sequence Listing (diskette)

Our check in the amount of \$ 740.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP



Steven B. Kelber  
Attorney of Record  
Registration No.: 30,073

Michael Ye  
Registration No.: 47,195



## FEE TRANSMITTAL

		Docket No.	5398-027-27 CONT
		Serial No.	10/697,720
		Filing Date	October 29, 2003
		Inventor(s)	Stanley N. COHEN, et al.
		Group Art Unit	1642
TOTAL AMOUNT OF PAYMENT		\$740.00	Examiner
			Unassigned

<input checked="" type="checkbox"/> Applicant claims small entity status. <input checked="" type="checkbox"/> Charge any <u>UNDERPAYMENT</u> or credit any <u>OVERPAYMENT</u> in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.					FEE CALCULATION (continued)							
					3. ADDITIONAL FEES							
					Large Entity		Small Entity		Fee Description			
2. <input checked="" type="checkbox"/> Check enclosed.					Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid			
FEE CALCULATION					1051	130	2051	65	Surcharge-late filing fee or oath			
1. BASIC FILING FEE					1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet			
Large Entity		Small Entity		Fee Description			1053	130	Non-English Specification			
Fee Code	Fee (\$)	Fee Code	Fee (\$)				1251	110	1-mo. ext. of time			
1001	770	2001	385	Utility filing fee			1252	420	2-mo. ext. of time			
1002	340	2002	170	Design filing fee			1253	950	3-mo. ext. of time			
1003	520	2003	260	Plant filing fee			1254	1480	4-mo. ext. of time	740.00		
1004	770	2004	385	Reissue filing fee			1255	2010	5-mo. ext. of time			
1005	160	2005	80	Provisional filing fee			1401	330	Notice of Appeal			
SUBTOTAL (1)				\$0.00			1402	330	Appeal Brief			
2. EXTRA CLAIM FEES					1403	290	2403	145	Request for Oral Hearing			
tot. claims		-	20*	= 0	x \$9	= 0	1501	1330	2501	665	Utility/Reissue Issue Fee	
ind. claims		-	3*	= 0	x \$43	= 0	1502	480	2502	240	Design Issue Fee	
<input type="checkbox"/>	Multiple Dependent Claims					\$145	=	1504	300	1504	300	Publication Fee
Large Entity		Small Entity		Fee Description			8001	3	8001	3	Advance Copy of Patent	
Fee Code	Fee (\$)	Fee Code	Fee (\$)				1460	130	1460	130	Petitions to the Commissioner	
1202	18	2202	9	Claims in excess of 20			1806	180	1806	180	IDS Submission	
1201	86	2201	43	Independent claims in excess of 3			8021	40	8021	40	Assignment recordation	
1203	290	2203	145	Multiple dependent claim, if not paid			1801	770	2801	385	For Filing RCE	
1204	84	2204	43	*Reissue independent claims over original patent			1814	110	2814	55	Terminal Disclaimer	
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent			OTHER (indicate below):					
SUBTOTAL (2)				\$0.00								
* or number previously paid, if greater; For Reissues, see above							SUBTOTAL (3)				\$740.00	

Name	Steven B. Kelber	Registration No.	30,073
Signature		Date	6-30-04
Name	Michael Ye	Registration No.	47,195



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/697,720	10/29/2003	Stanley N. Cohen	S93-160 CON2

Bertram I. Rowland, Esq.  
 Lumen Intellectual Property Services, Inc.  
 2nd Floor  
 2345 Yale Street  
 Palo Alto, CA 94306



**CONFIRMATION NO. 3761**  
**FORMALITIES LETTER**



\*OC000000011585019\*

Date Mailed: 12/30/2003

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
 CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
 DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

*y.G*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE